

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION**

Tashia Kennedy, Tawanda Woody,) Civil Action No. 6:21-cv-01168-DCC
Tyneshia Dodd, Cierria Jenkins, and)
Cassondra Grayson,)
Plaintiffs,)
)
vs.) **CONSENT MOTION TO**
) **AMEND COMPLAINT**
)
Monroe Group, Ltd., Steele Belle Meade,)
LLC, and Vernice Dimiati,)
)
Defendants.)
)

CONSENT MOTION TO AMEND COMPLAINT

Plaintiffs Tashia Kennedy, Tawanda Woody, Tyneshia Dodd, Cierria Jenkins and Cassandra Grayson (“Plaintiffs”) hereby move for an order granting them leave to amend their complaint. Plaintiffs’ proposed amended complaint is attached hereto. This motion is made upon the following grounds¹:

Plaintiffs filed this action on April 20, 2021, alleging that Defendants had violated, and were continuing to violate, federal and state fair housing law by (i) maintaining racially discriminatory policies and practices and (ii) by engaging in attempts to coerce, intimidate, threaten, or interfere with an individual's exercise of rights granted or protected by federal and state fair housing law. (ECF No. 1). Plaintiffs now move to amend their complaint for the first time to add one count of discrimination on the basis of familial status in violation of federal and state fair housing law.

¹ This motion is filed without a supporting memorandum pursuant to Local Civ. Rule 7.04 (D.S.C.) because a full explanation of the motion as set forth in Local Civ. Rule 7.05 (D.S.C.) is contained within the motion and a memorandum would serve no useful purpose.

This motion is timely under the currently operative scheduling order in this case. (ECF No. 20). As a result, Plaintiffs need not satisfy the good cause requirement of Rule 16. *Nourison Rug Corp. v. Parvizian*, 535 F.3d 295, 298 (4th Cir. 2008). Rather Plaintiffs need only satisfy the requirements of Rule 15(a), FCRP, which provides that leave to amend shall be freely given when justice so requires. “A motion to amend should be denied only where it would be prejudicial, there has been bad faith, or the amendment would be futile.” *Nourison*, 535 F.3d at 298. A lack of prejudice to the opposing party alone would ordinarily warrant granting leave to amend. See *Ward Elecs. Serv., Inc. v. First Commercial Bank*, 819 F.2d 496, 497 (4th Cir. 1987).

Defendants have consented to the relief requested herein. For the forgoing reasons, Plaintiffs move for leave to amend their complaint as indicated in the attached.

Respectfully submitted,

November 23, 2021

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CERTIFICATE OF SERVICE

I certify that on November 23, 2021 a copy of the foregoing CONSENT MOTION TO AMEND COMPLAINT was filed electronically and notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by first class mail to the parties listed below who are unable to accept electronic filing.

None

s/ Adam Protheroe_____